

Top 10 State Issues for Proposed Plan

Following are the State's top 10 most significant concerns based on our current understanding of EPA's preliminary preferred alternative, interaction with the NRRB/CSTAG and participation in the recent "walkthrough" meetings between EPA and LWG members.

1. Operable Units – PH should be broken into OUs to increase implementability – specify OUs in Proposed Plan.
2. Schedule and Public Outreach – need detailed schedule identifying key milestones for issuance of a Dec 2016 ROD and check-in points with the State (include schedule and process for State making concurrence determination) – also need written plan for early and extensive outreach between now and end public comment period on the Proposed Plan.
3. Cost – revise cost estimate in consideration of DEQ's prior recommendations for cost reduction and comment #10 below regarding Arkema NAPL interpretation.
4. Source Control Compliance and Recontamination – need to agree on compliance criteria and points of compliance for GW and StW pathways – also need definition of sediment recontamination that addresses both upland and in-water sources – include in Proposed Plan.
5. Riverbanks and RAO 9 – clarify whether "riverbank" includes beach areas – also clarify utilization of RAO 9 PRGs in remedy selection and integration with source control efforts.
6. Institutional Controls – minimize restrictions on river-related use of Harbor – RNAs should not restrict all navigation and river-related activities as was done with M&B and GASCO – specify in Proposed Plan.
7. Fish Advisories – need plan describing effective use of fish advisories (see DEQ pages 16-18 comment on draft FS) – include concepts in Proposed Plan – flush out remaining details in ROD.
8. Disposal Options and Impacts to State Transportation System – identify disposal options (e.g., upland sites) that incentivize use of barge and rail for bulk material transport – include concepts in Proposed Plan – flush out remaining details in ROD
9. Surface vs Subsurface Contamination in Delineating SMAs – specify how SMAs will be delineated and under what conditions active remediation will be required in areas where surfaced sediment is below RALs but subsurface sediment exceeds RALs – will decision tree be different for RD than in the FS for developing the preferred alternative – include decision tree in Proposed Plan.
10. NAPL and Hazardous Waste Interpretation at Arkema – Based on DEQ's review of the EPA FS and statements made to the NRRB, DEQ understands that EPA is assuming thermal treatment of dredged sediment adjacent to the Arkema site in its remedy cost estimates. The multiple phases of sediment investigation have not encountered sediment exhibiting

NAPL saturated conditions that would warrant thermal treatment prior to management. The most significant observations have been the occasional sheen and product bleb. While it is possible that RD data or RA could encounter a pocket of heavily NAPL impacted sediment, DEQ suggests that EPA adaptively manage these potential circumstances rather than ascribe a large treatment cost associated with these sediments to the Portland Harbor remedy. Additionally, EPA correctly notes in the FS that the sediment adjacent to the Arkema site containing DDX contains a state listed hazardous waste (pesticide residue). DEQ wants to be clear that land disposal of these sediments does not require treatment under Oregon Administrative Rules.